

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:20-CV-30-BR

WENDY DALE,)	
)	
Appellant,)	
v.)	<u>ORDER</u>
)	
ALGERNON L. BUTLER, III, and)	
ASCENDIUM EDUCATION)	
SOLUTIONS, INC.)	
)	
Appellees.)	

This matter is before the court on Wendy Dale’s (“appellant”) notice of withdrawal of appeal. (DE # 25.) The court construes the notice as a motion for voluntary dismissal of the appeal. See Fed. R. Bank. P. 8023 (“An appeal may be dismissed on the appellant’s motion on terms agreed to by the parties or fixed by the district court . . .”). “[I]t is within this Court’s discretion to grant such a motion unless special circumstances dictate otherwise.” Brekelmans v. Salas (In re Salas), No. 18-CV-2318 (KBJ), 2020 WL 32567, at *4 (D.D.C. Jan. 2, 2020) (citing Kesterson v. Moritsugu, 149 F.3d 1183 (6th Cir. 1998); HCA Health Servs. of Virginia v. Metropolitan Life Ins. Co., 957 F.2d 120, 123 (4th Cir. 1992)). The motion for voluntary dismissal is ALLOWED, and appellant’s motion to stay, (DE # 22), is DENIED as moot. The Clerk is DIRECTED to close this case.

This 19 June 2020.



W. Earl Britt
Senior U.S. District Judge